

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

TERPSEHORE MARAS,
Plaintiff,

v.

CONGRESSMAN STEVE COHEN, *et al.*
Defendants.

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Case No. 1:21-cv-317-DCLC-CHS

ORDER

Plaintiff Terpsehore Maras has filed a "Motion for Status Conference or Order Compelling Defendant Ali Abdul Razak Akbar, a/k/a Ali Alexander, to Respond to Plaintiff's Amended Verified Complaint." [Doc. 74]. Plaintiff asks the Court for a status conference on "how to proceed with Defendant" Akbar/Alexander. The Court **GRANTED** the request for a status conference, which conference was held in open court on May 4, 2022. Attorney Russell Newman appeared for Plaintiff; Michael O'Neill appeared for Dominion Voting Systems, Inc. and Dominion Voting Systems Corporation; and William Harbison appeared for Media Matters for America. Attorney Todd Tatelman for Representative Steve Cohen was present by phone.

This is an action for defamation. Plaintiff has named Ali Abdul Razak Akbar, a/k/a Ali Alexander, as a defendant in the amended complaint. [Doc. 1-2, ¶¶ 75-76]. Plaintiff represents that she has served Defendant Akbar/Alexander with a summons and complaint on three different occasions. The summonses indicate that Defendant Akbar/Alexander resides in Texas.¹ Plaintiff asks the Court to order this Defendant to respond to the amended complaint; however, Plaintiff offers no authority in support of such request. At the hearing, Plaintiff's counsel simply relied upon Fed. R. Civ. P. 12(a)(1)(A)(i), which provides that "[A] defendant must serve an answer . . . within

¹ The amended complaint does not provide any facts which would link this defendant to Tennessee.

21 days after being served with the summons and complaint." This rule imposes a requirement on a properly served defendant to file a timely answer; however, it does not direct the Court to issue an order to a party requiring the filing of a response to a complaint. Rather, Fed. R. Civ. P. 55 provides the appropriate remedy when a party fails to respond to a complaint after it has been properly filed and served. Consequently, to the extent Plaintiff's motion requests the Court to order Defendant Ali Abdul Razak Akbar, a/k/a Ali Alexander, to respond to the complaint, the motion will be **DENIED**.

For the foregoing reasons, it is hereby **ORDERED** that:

1. Plaintiff's Motion for Status Conference or Order Compelling Defendant Ali Abdul Razak Akbar, a/k/a Ali Alexander, to Respond to Plaintiff's Amended Verified Complaint [Doc. 74] is **GRANTED** to the extent that Plaintiff was seeking a status conference. Such status conference was held in open court on May 4, 2022.
2. Plaintiff's Motion for Status Conference or Order Compelling Defendant Ali Abdul Razak Akbar, a/k/a Ali Alexander, to Respond to Plaintiff's Amended Verified Complaint [Doc. 74] is **DENIED** to the extent is seeks to have the Court order Defendant Ali Abdul Razak Akbar, a/k/a Ali Alexander, to respond to the amended complaint.

SO ORDERED.

/s/ Christopher H. Steger
UNITED STATES MAGISTRATE JUDGE